

any policy decisions an agency makes which do not comply with the approved guidelines “shall be deemed to be arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law.”

I am very concerned that the language in this amendment could give rise to a new cause of action against Federal agencies in their regulatory process. A longstanding principle of regulatory law is that agencies must show that their regulatory actions are not “arbitrary and capricious” or courts will overturn those actions. This amendment creates a new and separate cause of action against regulatory agencies who veer from their guidelines in the formulation of a regulation. This is an unnecessary addition to the legal weaponry available to challenge agency regulations since the current law already provides that agencies are prohibited from making “arbitrary and capricious” regulatory decisions. I do not understand why we would purposely increase our courts’ load of regulatory litigation for no discernible substantive benefit.

Furthermore, the amendment does not limit these restrictions to regulatory actions. All “policy decisions,” specifically including “agency guidance,” are subject to this requirement. “Agency guidance” could include the posting of information on an agency website or the issuance of disaster warnings. It is troubling that we would potentially be creating a new legal cause of action against agencies for putting agency guidance on their websites. It’s even more troubling that we would prohibit agencies from making disaster warnings until those agencies’ scientific integrity guidelines are approved by the Director of OSTP.

Clearly, these new impositions on the Federal agencies are not without cost. However, what is the real benefit here? Early on, the Obama administration issued an order to all Federal agencies to adopt scientific integrity policies. OSTP oversaw this process, and Federal agencies now have scientific integrity policies in place. What additional benefit does this amendment provide over what the administration has already completed? Moreover, the Federal government already has well established procedures in place to ensure Federal regulations are only issued after careful review of the scientific evidence. It’s hard to imagine this amendment provides any benefits to this process that would outweigh the dangers and costs I just identified.

Finally, I want to express my discomfort with placing the OSTP and the President’s science advisor in a regulatory oversight role. The President of the United States needs sound scientific advice from a trusted and competent advisor. OSTP was created to provide that advice to the President. This is an office that has typically maintained bipartisan support over the years. I would hate for that support to erode because we’ve placed inappropriate responsibilities on that office. I would also note that OSTP’s annual budget is relatively modest and the office is already stretched thin carrying out its current duties. This amendment provides no funding for the newly mandated duties, and it is unclear how OSTP is supposed to fund these new responsibilities.

I do think it is important that the Federal government use the best available science when it does its work. Unfortunately, for the reasons I’ve outlined, I don’t think this amendment is the way to achieve that goal, and I must oppose the amendment.

IN MEMORY OF REVEREND DR.
J.J. ROBERSON

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2012

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a spiritual leader and visionary from Houston, Texas, Reverend Dr. J.J. Roberson.

Dr. Roberson will be remembered as a distinguished minister, husband, father, Master Barber, and World War II Veteran. He has inspired our community with his work as the Founder and Pastor Emeritus of Mt. Hebron Missionary Baptist Church. During his 50-year tenure as Pastor of Mt. Hebron Missionary Baptist Church, Dr. Roberson was credited with expanding the size of the sanctuary and for increasing the church membership to over 2,000.

Dr. Roberson was consistently recognized for his outstanding leadership as President of the Baptist Ministers Association of Houston & Vicinity. He was inducted into the Religious Hall of Fame in Dallas in 2011, as well as the Visionary Pastors Hall of Fame in Houston in 2012.

As we say goodbye to a courageous leader and man of God, we acknowledge that our community has lost a resounding voice for justice, fairness, and equal opportunity. Although this is a significant loss, we find consolation in knowing that many of our lives have been forever changed because Dr. J.J. Roberson lived.

While I will indeed miss his physical presence, I will continue to admire his spirit and passion for helping those who are the least, the last, and the lost among us. To many, Dr. Roberson was a pillar within our community and a great preacher; but for me not only was Dr. Roberson a dynamic religious leader, he was a mentor, trusted advisor, and beloved friend.

RECOGNIZING THE LIFE AND
SERVICE OF LIEUTENANT COLONEL,
DR. FRANK RAILA, MD,
USA, RET.

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the life and accomplishments of a true American patriot: retired Lieutenant Colonel Frank Raila. Lieutenant Colonel Raila has lived a rich and full life: he is a veteran, a medical doctor, a father, and so much more. He is a fantastic example of those individuals who make up our “greatest generation.”

Living on the south side of Chicago, Frank Raila was called to serve his country shortly after his eighteenth birthday in 1943. He was sent to Europe as a Private in the 106th Infantry Division, where he served on a machine gun crew. He participated in an unsuccessful attempt to retake the city of Schonberg in late 1944. During this assault, then-Private Raila was captured by German forces and sent to a mining labor camp as a prisoner of war. Be-

fore long, he used quick thinking and ingenuity to escape from captivity during a transfer to a new location, and worked to rejoin friendly forces.

During the rest of the war and for several years after, Frank Raila continued to serve his country—remaining with the United States Army and eventually retiring with the rank of Lieutenant Colonel.

After the war, Frank Raila returned to civilian life and attended the Stritch School of Medicine at Loyola University at Chicago. As a Neuroradiologist, he had a long and distinguished career—practicing in locations around the country and abroad over several decades.

On behalf of myself and a grateful nation, I want to thank Lieutenant Colonel Raila for all he has done for our nation: for his service, his sacrifices, and his hard work. I want to welcome him, and all the other veterans participating in the “Honor Flights” to Washington D.C. in recognition of this year’s “Day of Honor” program on August 1, 2012.

IN MEMORY OF CHLOE ZULCOSKY

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 26, 2012

Mr. MICA. Mr. Speaker, I rise today in remembrance of Chloe Zulcosky, a recent graduate of Seminole High School in Sanford, Florida.

There are some people in our lives that inspire us to be better, to reach for every opportunity, and, when we fall down, to brush ourselves off and continue pushing ahead. Friends, Chloe was one of those people. She served as a role model in her community, and shone through to all as a fun-loving and courageous young lady. Chloe showed the community of Seminole County how to live life as a kind, genuine and beautiful person.

Chloe was the Senior Captain of her cheerleading team at Seminole High School. While at cheerleading camp at the beginning of her senior year, Chloe started having terrible migraines. After weeks of continuous pain, she was diagnosed with glioblastoma, a type of brain cancer which usually occurs with patients older than 55.

Chloe underwent surgery in early September to remove the brain tumor. She was scheduled after the surgery for one year of chemotherapy to diminish any of the tumor that was not removed.

She was able to experience a senior year full of love and support from the Seminole County community. Chloe received the honor of Homecoming Queen at Seminole High School, attended her prom, and graduated from high school.

On Wednesday July 25, after a long and courageous fight, Chloe passed away. While it is with a heavy heart that I report to Congress that Chloe passed away today, I am confident that her life and memory will remain with not only those she knew, but all those who knew of her.

I again ask we remember the life of this wonderful young woman and pray for the family and friends who are grieving her loss. May Chloe inspire us all.